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Security Council

Fifty-first Year

Provisional

3723rd Meeting

Thursday, 12 December 1996, 6.40 p.m.

New York

President:	Mr. Fulci	(Italy)
Members:	Botswana	Mr. Malebeswa
	Chile	Mr. Searle
	China	Mr. Qin Huasun
	Egypt	Mr. Abdel Aziz
	France	Mr. Thiebaud
	Germany	Mr. Metscher
	Guinea-Bissau	Mr. Lopes da Rosa
	Honduras	Mr. Rendón Barnica
	Indonesia	Mr. Wibisono
	Poland	Mr. Wlosowicz
	Republic of Korea	Mr. Choi
	Russian Federation	Mr. Lavrov
	United Kingdom of Great Britain and Northern Ireland	Sir John Weston
	United States of America	Mr. Inderfurth

Agenda

The situation in Bosnia and Herzegovina

Report of the Secretary-General pursuant to Security Council resolution 1035 (1995) (S/1996/1017)

Letter dated 21 November 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/968)

Letter dated 5 December 1996 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General (S/1996/1012)

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The meeting was called to order at 6.40 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

Report of the Secretary-General pursuant to Security Council resolution 1035 (1995) (S/1996/1017)

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The President: I should like to inform the Council that I have received letters from the representatives of Bosnia and Herzegovina, Canada, the Czech Republic, Ireland, Malaysia, Norway, Turkey and Ukraine, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Sacirbey (Bosnia and Herzegovina) took a seat at the Council table; Mr. Fowler (Canada), Mr. Rovenský (Czech Republic), Mr. Campbell (Ireland), Mr. Hasmy (Malaysia), Mr. Biorn Lian (Norway), Mr. Çelem (Turkey) and Mr. Zlenko (Ukraine) took the seats reserved for them at the side of the Council Chamber.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/1996/1017, which contains the report of the Secretary-General pursuant to Security Council resolution 1035 (1995); document S/1996/968, which contains the letter dated 21 November 1996 from the Secretary-General addressed to the President of the Security Council; and document S/1996/1012, which contains the letter dated 5 December 1996 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General.

Members of the Council also have before them document S/1996/1032, which contains the text of a draft resolution submitted by France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I should like to draw the attention of the members of the Council to the following other documents: S/1996/1024, letter dated 9 December 1996 from the Secretary-General addressed to the President of the Security Council, conveying the communication from the High Representative, Mr. Carl Bildt, on the implementation of the Peace Agreement on Bosnia and Herzegovina; and S/1996/1025, letter dated 9 December 1996 from the Secretary-General addressed to the President of the Security Council, conveying the exchange of letters between the Secretary-General of the North Atlantic Treaty Organization and the Parties to the Dayton Peace Accords concerning the Stabilization Force in Bosnia and Herzegovina.

The first speaker on my list is the representative of Bosnia and Herzegovina, on whom I now call.

Mr. Sacirbey (Bosnia and Herzegovina): In this month, the last month of the year 1996, let me express our appreciation for the fashion in which you, Sir, have handled the workings of the Security Council, obviously under quite demanding circumstances.

At the same time, let me also take the opportunity to express our appreciation for the work of His Excellency Ambassador Wisnumurti of Indonesia for the most able fashion in which he handled his tasks as President of the Council last month.

We received the draft resolution before the Council only late yesterday and, as a consequence, although we have forwarded the draft to our Presidency for its review, I have not received specific instructions nor could I reasonably anticipate any specific instructions on the matter. Therefore, my comments on the draft are based on the following principles.

First of all, I am here to represent, with fidelity and integrity, all of Bosnia and Herzegovina and, in particular, the Presidency of Bosnia and Herzegovina as a whole. I take this responsibility most seriously. Secondly, the Dayton/Paris Peace Agreement is still the foundation of the peace process and our stated positions are guided by this Agreement. Finally, and most critically, the Constitution of Bosnia and Herzegovina, as adopted under the Dayton/Paris Peace Agreement, is the most basic foundation for our expressed views.

On the basis of these criteria, I would like to express our general satisfaction with the draft resolution before the Council and to reaffirm that our Government has expressed support for the commitments outlined generally therein. Because of the length and detail of the draft before us, I will not go through it issue by issue. Instead, I would only like to highlight a few key issues that deserve special comment or attention.

Let me start by thanking the Member States, organizations and individuals behind the civilian, economic and military implementation of the Peace Agreement. The efforts are noteworthy and, in the overwhelming number of instances, deserve our thanks and praise. The results of the combined efforts of the international implementers, on the one hand, and of the signatories on the other are, unfortunately, not reflective of the efforts, or of the best wishes of our friends, or of the longing of all the Bosnian people, nor necessarily of the terms of the Dayton/Paris Agreement.

In particular, we must highlight the following. First, although economic recovery and reconstruction have moved forward, the general and explicit promises of assistance remain too frequently unrealized. Our country is in such need of rebuilding that any unkept promise is both pragmatically and symbolically painful.

At the same time, in agreement with the draft resolution, we are — at least some of the members of the Presidency of Bosnia and Herzegovina are — in favour of assistance being conditioned on fulfilment of the obligations contained in the Peace Agreement. In fact, we call for conditionality as a tool to compel compliance and implementation. However, failure by some authorities within Bosnia and Herzegovina cannot excuse the international community from neglecting its promises to all of Bosnia and Herzegovina.

You, the sponsors of and implementers of the Dayton/Paris Agreement, can see the facts on the ground well enough to know who deserves your condemnation and challenge, and who, on the other hand, deserves your support — especially now, more than ever before. None of us deserves generalizations. We understand that the language in this draft resolution supports precise identification of those who are in compliance and those who are not, and that assistance will be distributed accordingly — also, of course, taking need into consideration.

Secondly, progress is being made in the establishment of the new institutions of the central Government of Bosnia and Herzegovina, as well as the accommodation of the old institutions. Unfortunately, significantly less progress — some might argue even no real progress — has been achieved on the elements of the Peace Agreement that constitute the reintegration of the country and the real basis for real peace.

I am certain that the Council would agree with me that we cannot substitute superficiality for substance, and that would be exactly the case if more effort — sincere effort — was not made to ensure freedom of movement, freedom of the media, democracy, respect for human rights and, most critically, the return of refugees and displaced persons to their homes. A house with a roof, but without walls or a foundation, is either a mirage or a moment of suspended animation just before collapse.

Recently, under the sponsorship of the Office of the High Representative and the Office of the United Nations High Commissioner for Refugees (UNHCR), a gathering of numerous refugee and minority organizations representing individuals of all ethnic backgrounds — Bosnian Muslims, Serbs, Croats and others — met under the newly coined title Coalition for Return. They have developed a comprehensive agenda to promote the realization of their universally accepted right of return to their homes. I was honoured to be requested by the Coalition to represent their views in relevant international forums.

In this context as well, we welcome the calls in the draft resolution before us for return of refugees and for the opportunity of refugees to choose their destination upon return. However, I am certain that refugees of all ethnic backgrounds do not believe that they, in fact, have a choice as long as they cannot in actuality return to their homes of origin. We would understand the language promoting return to homes of origin or to homes of choice to be, in fact, based upon the principle of first securing the real opportunity to return to one's home of

origin. Otherwise, such language could be misappropriated to deny a real choice and actually to further rather than reduce the consequences of "ethnic cleansing".

Thirdly, I would like to bring to the Council's attention our full support for the call under the terms of the Dayton/Paris Agreement for regional arms control and military stabilization. We believe this to be a cornerstone for peace and security in our region. One point: in order to make the already agreed upon arrangements truly effective, transparency and credible reporting are absolutely decisive. We believe that effective inspections are essential and that public reporting of compliance or non-compliance is absolutely determinative under the terms of the Peace Agreement.

Fourthly, we welcome the continuing role of the Organization for Security and Cooperation in Europe (OSCE) in supervising the forthcoming municipal elections in Bosnia and Herzegovina. There appears to be full agreement by all to this role. We can now only strive for prompt execution of these elections and for all, including the relevant international actors, to promote the standard of free and fair elections called for by the terms of the Dayton/Paris Peace Agreement.

Fifthly, I would like to mention an issue with respect to which there does not appear to be consensus between all the authorities in Bosnia and Herzegovina. This Security Council draft, numerous other resolutions and presidential statements, as well as the Dayton/Paris Peace Agreement, call for full cooperation and compliance with the Tribunal and its orders.

As the latest report of the Tribunal outlines, the level of cooperation and compliance varies substantially from country to country in the region, as well as between the relevant authorities within Bosnia and Herzegovina.

Unfortunately, while the orders and demands of the Tribunal are clear, and their priority under international law is without doubt, the authorities of the Republika Srpska take the view that their local constitution rejects compliance.

I was a direct negotiator and signatory of the Dayton/Paris Peace Agreement, and there is no doubt that full compliance is mandated not only by international law — by this very Council, the Peace Agreement and the aforementioned Paris and London Conferences — but also, most relevantly, by our new Constitution, adopted in Dayton and Paris by all the parties. I certainly would not have agreed to and signed the Peace Agreement otherwise.

That is also the reason why I have no doubt, as the Permanent Representative of Bosnia and Herzegovina, in expressing this position without reservation before this Council. The legal and constitutional requirement for compliance with the Tribunal applies to all equally, and our central Government has already acted in full consistency with this principle by surrendering to the Tribunal all indicted persons who are under our control, regardless of whether they are Serbs, Croats or Bosnian Muslims.

Some have, inadvertently or otherwise, buttressed — that is, given moral support — to the position of the non-compliant by arguing that somehow the Tribunal is not impartial. The argument seems to be based solely upon numbers, because the largest number of indicted individuals are ethnically Serbs while the smallest number are Bosnian Muslims.

First, this is not an issue of ethnicity or collective ethnic guilt. We reject group guilt. This is an issue of individual and State authority responsibility for the heinous crimes committed.

Secondly, even the numerical argument does not add up. Actually, because of the full compliance of the central Government of Bosnia and Herzegovina and the lack of cooperation by others, ironically, more Bosnian Muslims have been surrendered to the Tribunal than members of any other ethnic group. For us, all of our citizens, regardless of ethnic background or religion, deserve our protection. At the same time, all those individuals who committed crimes must be held accountable, also regardless of ethnic background or religion. This is a matter of our future, of reconciliation and of the rule of law.

Finally, we did find offensive the implicit or explicit suggestion that the Tribunal should exhibit impartiality by, in future, indicting the same number of people from each ethnic background. That truly would be a perversion of justice that would transform the Tribunal into a political court designed to serve the political expediency of some, or refashion history and ignore the essential foundation of individual responsibility.

I am certain that most will agree that the issue is not about the integrity of the Tribunal and its judges, who come from all corners of the world and all backgrounds,

but is more about the support that the Tribunal is receiving from the very United Nations organs that gave it initial life. It is on this latter, general, issue that I should like to conclude. On 3 December 1996 the Tribunal judges, from Italy to Egypt and the United States, acting unanimously, expressed their great dismay at not being given adequate support for their repeated demands to compel compliance with the Tribunal's orders, and their growing sense that the Tribunal is, perhaps, being marginalized. Indeed, it is most unfortunate that the Tribunal judges cannot escape this sinking feeling. It would be worse if their fears proved true.

In this context, we should like to endorse the position, enunciated in the draft resolution, that the primary responsibility for the Peace Agreement lies with the parties. It is also true that the international community, in particular the most influential sponsors of the Peace Agreement, have a most decisive role — I emphasize the word "decisive" — in certain key aspects of the Peace Agreement. Some signatories, having failed in their commitment to the Peace Agreement, especially as it relates to full cooperation with the Tribunal, are waiting to see if these sponsors of the Peace Agreement will abandon the Agreement or, at least, just this element of the Agreement. Either way, this would be a disastrous position, bringing the peace process to decisive failure.

Clearly, the parties ultimately must be responsible for their future — our future. Nonetheless, the valuable work of the Security Council, the Contact Group, various international factors on the ground and the Tribunal remain essential, inescapable factors for peace. The role of the international community in support of the peace process remains unavoidable, although, of course, we all hope that it will gradually decrease.

I should like to make one final point regarding the International Criminal Tribunal for the former Yugoslavia. The Tribunal's contribution to peace is, as we have said, critical and decisive. However, the Tribunal is the court of all of us — it is your court. It is meant to deliver justice for Bosnian victims. But these are victims of violations of the most basic standards of international humanitarian law. By extension, we are all victims of these violations of international humanitarian law. If we do not support the Tribunal sincerely and effectively, it will be a further injustice against all of us, as well as against the Bosnian victims.

The President: I thank the Permanent Representative of Bosnia and Herzegovina for the kind words he addressed to me.

The next speaker is the Permanent Representative of Ireland. I invite him to take a seat at the Council table and to make his statement.

Mr. Campbell (Ireland): I have the honour to speak on behalf of the European Union. The following associated countries align themselves with this statement: Bulgaria, Cyprus, Czech Republic, Hungary, Lithuania, Poland, Romania, Slovakia and Slovenia. Iceland has also aligned itself with this statement.

The draft resolution before the Security Council this evening marks a reaffirmation by the international community that it is willing to support the consolidation of peace and democracy in Bosnia and Herzegovina by continuing to provide the necessary stable and secure environment within which the important objectives of the Peace Agreement can be achieved. The European Union, many of whose members will participate in the follow-on multinational stabilization force, welcomes the decision to authorize the establishment of the force. We also pay tribute to the men and women of the many nations that participated in the multinational force (IFOR), established under resolution 1031 (1995), for the major contribution that they have made to the peace process. We also acknowledge the dedicated work of the High Representative and his team, as well as the International Police Task Force (IPTF), and we welcome the commitment that has been made to reinforce their respective roles for the period ahead.

The next stage must to be build on the achievements of the last 12 months. The responsibility for doing that and for bringing about reconciliation and economic, political and social regeneration lies principally with the authorities and the citizens of Bosnia and Herzegovina. Unless they are prepared to assume full responsibility for the functioning of their State, the continued support of the international community, through the provision of very significant human and financial resources, cannot be guaranteed. It must therefore be clearly understood that without the fullest commitment from the authorities of Bosnia and Herzegovina to meeting their obligations under the Peace Agreement, the European Union will have to reconsider the scope of its engagement in the peace process.

The European Union and its member States have been in the vanguard of the international community's contribution to Bosnia and Herzegovina — providing, in 1996, more than $1 billion in financial assistance, including humanitarian aid. The diversity of the support

mechanisms, ranging from humanitarian assistance to reconstruction and assistance for transition to a market economy, has a single aim: that Bosnia and Herzegovina should develop into a just and stable political society with a market-based economy anchored in the future Europe.

One of the fundamental components of political stability and successful economic development in Bosnia and Herzegovina is the establishment of effective institutions. The European Union underlines the importance of establishing these institutions without delay. We welcome the setting up of the Council of Ministers and call upon all its members to work together constructively and in cooperation. The Council of Ministers and the collective presidency can, and must, set an example to other institutions at the national and local level by showing that it is possible to make them function effectively to the benefit of all the peoples of Bosnia and Herzegovina, and not solely to the advantage of the individual entities of which they are composed.

The recent Conferences in Paris and London of the Peace Implementation Council have provided a set of guiding principles for a two-year civilian consolidation period together with a comprehensive Action Plan for the next 12 months. Underpinning both is the requirement that all parties implement fully the Peace Agreement, including cooperation with the International Tribunal. As we embark on the next 12 months of consolidation, the focus must be on the areas where progress has been slow and on examining ways of accelerating this. Our common objective is to urge the authorities at all levels in Bosnia and Herzegovina to work as expeditiously as possible towards the establishment of a fully functioning multi-ethnic State with institutions that enjoy the support and confidence of all citizens.

To this end, the European Union reaffirms its willingness to contribute, through all the means at its disposal, to the consolidation of peace and self-sustaining stability in and around Bosnia and Herzegovina. It will continue to monitor closely the progress that is being made and will react as appropriate whenever it believes that commitments are not being met. Of particular importance in this respect will be the need for effective action in the following areas:

Full respect for human rights and fundamental freedoms, including the rights of persons belonging to minorities.

Marked progress in establishing freedom of movement and communication between the entities: Urgent steps must be taken to reduce incidents of intimidation and harassment.

The elimination of obstacles to the early, phased, safe and orderly return of refugees and displaced persons to their homes: The European Union welcomes the efforts being made by other bilateral donors, by United Nations agencies — in particular the Office of the United Nations High Commissioner for Refugees — and non-governmental organizations in establishing projects designed to facilitate the return and reintegration of refugees and displaced persons to all areas of Bosnia and Herzegovina. We call upon all the parties to cooperate fully with them in their work.

Full compliance by the authorities in Bosnia and Herzegovina and other States with the orders of the International Tribunal for the former Yugoslavia, particularly by those that have failed to cooperate fully with arrest warrants issued by the Tribunal and to surrender indictees to the Tribunal for trial: The European Union, in reiterating its strong support for the work of the International Tribunal, reminds the authorities of Bosnia and Herzegovina that their obligations under international law take precedence over any provisions in their local or national legislations.

Full respect for freedom of expression, including a free and independent media: The European Union believes this to be an essential precondition for ensuring a democratic society in Bosnia and Herzegovina.

The successful holding of municipal elections by summer 1997 under the supervision of the Organization for Security and Cooperation in Europe (OSCE): In this regard, the European Union underlines the importance it attaches to ensuring a full, free and open political debate, including full participation by and free access for all opposition parties to the mass media.

The European Union has made it clear to those involved that the future development of relations with it will depend on how they perform in these areas. We see the application of conditionality of this type, in a regional context, as an important contribution to the peace process overall. In this context, the European Union has made clear its dismay at recent developments in Serbia following the local elections and has stressed that democratic norms, including rights of peaceful assembly and free speech, must be respected. Compliance with

these norms is a key factor in the development of the Federal Republic of Yugoslavia's relationship with the European Union.

An opportunity for the peoples of Bosnia and Herzegovina to move forward in peace now exists. They will have the full support and encouragement of the European Union and of the international community as they endeavour to rebuild their lives and reconstruct their country. The challenges that lie ahead are formidable and will require all involved to show generosity, a readiness to compromise, a willingness to embrace reconciliation and, above all, a determination to build trust and overcome past enmities once and for all. It is our hope that 1997 will see the progressive diminution of the remaining tensions and suspicions, and the fostering of a spirit of constructive and positive cooperation between the different communities, from which can grow lasting stability and economic prosperity based on mutual respect, democracy and the rule of law.

The President: The next speaker is the Permanent Representative of Canada. I invite him to take a seat at the Council table and to make his statement.

Mr. Fowler (Canada) (*interpretation from French*): I am pleased to express my support for the draft resolution being considered today by the Security Council on the situation in Bosnia and Herzegovina. This draft resolution authorizes the establishment of a Stabilization Force (SFOR) and extends the mandate of the United Nations Mission in Bosnia and Herzegovina. Both operations are central elements in the international community's efforts to consolidate peace.

We all recall that, less than a year ago, with resolution 1031 (1995), the Security Council authorized the deployment of the Implementation Force in order to assist in the implementation of the Dayton Accords. We have made progress since last year's truce. Among the accomplishments, we should emphasize the holding of national elections last September and the formation, however limited, of common Bosnian institutions.

Nevertheless, it is evident that much more remains to be done to ensure lasting peace. One of the issues which requires particular focus is the prosecution of war criminals. Peace can be sustained only if accompanied by justice. In our view, the success of the work of the International Tribunal is essential to stability in the region. The impunity of persons responsible for war crimes represents a threat to the viability of the peace process. Efforts must be made to ensure the success of the Tribunal and that the guilty are brought to justice.

(*spoke in English*)

The Bosnian parties and the neighbouring States have the main responsibility for turning over war criminals to the Tribunal. At the same time, the international community has a responsibility to encourage and ensure that all the parties comply with their obligations in this regard. It was agreed at the London Conference that the Peace Implementation Council Steering Board would assess compliance with the war crimes provisions of Dayton with a view to considering possible additional measures by the international community. We believe, in particular, that the parties' compliance must factor into discussions concerning ongoing international economic assistance.

Responsibility for implementing the peace has progressively and appropriately shifted to the parties signatory to the Dayton Accords. It will be up to the Bosnians themselves to be the real peace builders. All Bosnians must demonstrate the flexibility necessary to make their country work. The international community will of course remain actively engaged in these efforts. The Paris and London Conferences set out the objectives for the international community's involvement over the next two years. For its part, Canada will continue to provide significant assistance, with emphasis on humanitarian programmes, democratic development, social rehabilitation and economic reconstruction.

An ongoing military presence is an important and necessary part of this international engagement. The Stabilization Force which the Council is considering today will help to ensure a stable security environment for the consolidation period, provide support for municipal elections next year, contribute to the achievement of arms-control objectives, support civilian implementation of the Peace Agreement and deter outbreaks of fighting.

In addition, we believe that SFOR can and should take a more assertive approach to the issue of war criminals. The participants at the London Conference agreed that the continuing impunity of persons indicted for war crimes represents a threat to the viability of the peace process. Canada has proposed a series of measures for SFOR, under its authorized mandate, that we believe will increase the pressure on and isolation of indicted persons, especially those actively involved in their

communities, and lead to their detention and transfer to the Hague.

From the outset of the international community's involvement, Canadian military and civilian personnel have been present in Bosnia, first through the United Nations Protection Force (UNPROFOR) and then the Implementation Force (IFOR). We are committed to ensuring that this investment produces a lasting, durable peace. For this reason, Canada will participate in the Stabilization Force, with an increased troop contribution of 1,200. We welcome the fact that the Stabilization Force — as its predecessor, IFOR — will be truly international, comprised as it will be of troops from 32 countries.

As IFOR draws down to become the smaller Stabilization Force, civilian activities will take on increasing importance in the peace-building process. The United Nations Mission in Bosnia and Herzegovina, and in particular the International Police Task Force and the United Nations Mine Action Centre, will continue to play an essential part in these efforts. For this reason, we fully support the renewal of the Mission's mandate.

Training and restructuring the police forces throughout Bosnia and Herzegovina are essential tasks. To this end, the challenge for the International Police Task Force will be to help the various authorities in Bosnia to reduce the number of police officers, while putting the remaining — retrained — officers under transparent, civil, democratic control. As the Secretary-General notes in his report on the United Nations Mission's activities, there has been some progress towards these objectives; however, the International Police Task Force remains necessary to assist the parties to this end.

Canada also welcomes the work of the Mine Action Centre, to which we have made a contribution in both resources and personnel. Demining activities in Bosnia are essential to peace-building and economic reconstruction.

Through our contributions to the Stabilization Force and the United Nations Mission in Bosnia and Herzegovina, and in reconstruction and reconciliation efforts, Canada remains committed to helping the parties consolidate peace. The draft resolution the Security Council is considering today further underlines the international community's continuing engagement in the peace-building process. However, as we enter the second year of the implementation process, the focus will primarily be on the parties themselves; the fulfilment of their obligations and commitments is indispensable for lasting peace.

The President: The next speaker inscribed on my list is the Permanent Representative of Norway. I invite him to take a seat at the Council table and to make his statement.

Mr. Biørn Lian (Norway): The Norwegian Government welcomes the draft resolution prepared for adoption today by the Security Council. This draft resolution would authorize a Stabilization Force (SFOR) to carry on the work so successfully started by the Implementation Force (IFOR) in contributing to the implementation of the Dayton Peace Agreement. Norway strongly believes that the presence of a multinational military force, with a robust mandate, is still required in Bosnia. We support a duration for the mandate of 18 months, so that the force can provide security and stability, and allow the peace process time to consolidate.

Norway will contribute substantially to SFOR, as we did to IFOR and before that to the United Nations Protection Force (UNPROFOR). Subject to parliamentary approval, we will contribute more than 700 troops to SFOR.

Norway is also prepared to continue to contribute significantly to the implementation of the civilian aspects of the Peace Agreement. For 1997, the Norwegian Government plans to allocate more than $160 million to the rebuilding of Bosnia and to our military participation in the Stabilization Force. We will continue our short-term assistance programme. And we will increase our longer-term reconstruction efforts. In implementing these programmes, we will continuously assess how our contribution can be put to the best possible and most cost-effective use.

The tasks and needs associated with civilian reconstruction in Bosnia are enormous. It may therefore seem paradoxical that the international community should again have to invest heavily in military resources. It should be kept in mind that IFOR has not only provided a stable general environment for the civilian efforts, it also gave specific support to these efforts. Without the presence of the multinational force to be authorized today, deterring the parties from resuming military hostilities, civilian implementation would be very difficult indeed.

The international community has now set a time limit for its involvement in Bosnia, in both the civilian and the military spheres. When the multinational force leaves after the end of its mandate, continued stability must be provided by the agreements on confidence-

building and arms control signed in Vienna and Florence earlier this year. These agreements limit the size of forces and their use, and it is of crucial importance to the stability of the region that the commitments undertaken, and the timetables agreed upon, are respected by all.

At the Peace Implementation Conference in London last week, the state of civilian implementation of the agreement was thoroughly examined. In some areas important achievements have been made. Elections have taken place throughout Bosnia and Herzegovina. New and joint institutions are now being put in place. The next challenge will be to make these institutions work in an efficient and democratic manner, based on the provisions and on the spirit of the Peace Agreement.

The contributions of the International Police Task Force (IPTF) were rightly emphasized at the London Conference. And the success of IPTF in assisting the parties in establishing modern, democratic law enforcement in Bosnia will be of crucial importance for the development of civilian society in general.

Democratic institutions must be complemented by free and independent media. The leaders of Bosnia and Herzegovina and its two entities must establish a legal framework which will allow a pluralistic media society to develop. This will be essential to the maintenance of peace and to the process of reconciliation and democratization. Norway intends to increase its support for the building of democracy and free and independent media by providing financial assistance, expertise and training. The importance of independent media is currently illustrated by the developments in Serbia, where a small number of radio stations and newspapers have played a crucial role in upholding popular resistance to a Government that refuses to abide by democratic rules.

We note with deep regret that little or no progress has taken place in important areas of the peace process. As has been pointed out many times before, it is not acceptable when we are asked to contribute to the reconstruction of houses — in order to allow the return of refugees — that existing houses are being destroyed in order to prevent refugees from returning. It is not acceptable when we finance costly demining operations — in order to facilitate freedom of movement — that at the same time new mines are laid precisely to prevent people from moving freely. Freedom of movement, although a basic concept of the Dayton Peace Agreement, is still lacking. Furthermore, the parties' record of cooperation with the International Criminal Tribunal on the Former Yugoslavia has been unsatisfactory. We should all insist that all parties improve their cooperation with the Tribunal without delay.

The message that was given to the leaders of Bosnia and Herzegovina in London was loud and clear: the international community is determined to continue its presence and its efforts in the military, political and economic areas. The mobilization of international resources to this effect for the benefit of Bosnia and Herzegovina is impressive. But it must be matched by an equally strong mobilization of political will by the authorities of Bosnia and Herzegovina and its two entities. It is their country and their future that are at stake. They must make the peace agreement work.

The President: The next speaker on my list is the Permanent Representative of Turkey. I invite him to take a seat at the Council table and to make his statement.

Mr. Çelem (Turkey): The situation in Bosnia and Herzegovina continues to occupy a very important place in the agenda for peace and security in the Balkans and beyond.

The developments which took place prior to the Dayton Peace Agreement proved once again that a lack of firm and prompt international response to aggression leads to further aggravation of crises, causes untold human suffering and makes it all the more difficult to find solutions. We have witnessed this tragic development in Bosnia and Herzegovina.

The Dayton/Paris Peace Agreement therefore constitutes a turning point in the unfolding of the events in Bosnia and Herzegovina. In this respect, we would like to express our full support for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto signed in Paris on 14 December 1995, which constitute the key mechanism for the achievement of a durable and just peace in Bosnia and Herzegovina, as well as for stability in the region and for reintegration of the country at all levels. The international community has to exert every effort to help Bosnia and Herzegovina on this path, and also in the reconstruction efforts under way, in order to heal the wounds of the war and to achieve peace, security and stability in this vitally important country of Europe.

Turkey, along with other States, is actively participating in the implementation of both the military and civilian aspects of the Dayton Peace Agreement. We

feel duty-bound to continue observing the level of compliance of the parties with the implementation of the Dayton Peace Agreement. Turkey strongly opposes the selective approach adopted by the Serbian Entity with regard to the implementation of certain provisions of the Agreement.

For this purpose, it is essential that all the conditions envisaged by the Dayton Peace Agreement, including the return of refugees and displaced persons to their homes, are put in place without delay. While we welcome the attention given to the protection and promotion of human rights in Bosnia and Herzegovina and to the establishment of the new common institutions in accordance with the provisions of the Peace Agreement, we regret the continuing obstruction faced by the refugees and displaced persons wishing to return to their homes. We call upon all parties, including the relevant international organizations and Member States, to contribute to the formation of conditions necessary to facilitate their return.

We would like to stress the importance of the work of the International Tribunal for the former Yugoslavia for the process of reconciliation in Bosnia and Herzegovina among its constituent peoples. Turkey supports fully the efforts of the International Tribunal aimed at the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991 and believes that States and parties to the Peace Agreement must meet their obligations to cooperate with the Tribunal. In this context, we would like to draw the attention of the Security Council to the third annual report of the International Tribunal, which in part states:

> "The degree of cooperation encountered has varied remarkably among these States and Entities. The Republic of Bosnia and Herzegovina has been by far the most cooperative party: it has replied to nearly every warrant addressed to it, explaining its inability to execute arrest warrants in Bosnian territories outside its control". *(S/1996/665, para. 167)*

In the report, it is also stated that the Republika Srpska has failed to execute any of the scores of arrest warrants which have been addressed to it or to explain its inability or failure to do so.

Unfortunately, the Federal Republic of Yugoslavia (Serbia and Montenegro) has been portrayed as a party with an almost equally dismal record of cooperation with the Tribunal. It is important to note that, under the Dayton Accord, the Federal Republic of Yugoslavia (Serbia and Montenegro) is responsible for the Serbian Entity's cooperation and compliance as well as its own.

Turkey welcomes the positive steps taken toward a normalization of relations between the Federal Republic of Yugoslavia (Serbia and Montenegro) and Bosnia and Herzegovina. We encourage the Federal Republic of Yugoslavia (Serbia and Montenegro) to fulfil the requirement of establishing diplomatic relations with Bosnia and Herzegovina without any preconditions. We believe that such a development will eliminate another hurdle en route to normalization.

We also welcome the subregional arms control agreements signed in Vienna on 26 January 1996, and in Florence on 14 June 1996, as vital instruments in ensuring regional stability. However, we are alarmed by reports of non-compliance by some parties with the provisions of these agreements. The international community's unwavering attention to the implementation of these instruments is also crucial for the realization of peace, security and stability in the area.

We hope that the irregularities and violations encountered, especially by Bosnians, at the 14 September election will be eliminated in the future and that, with the cooperation of all parties with the Organization for Security and Cooperation in Europe (OSCE), free and fair elections throughout Bosnia and Herzegovina can be realized at the municipal/local level promptly.

On the reconstruction front, we are pleased to note the positive impact of the two previous pledging conferences held on 21 December 1995 and 13-14 April 1996 and chaired by the World Bank and the European Union. We believe that we cannot overemphasize the urgency of providing the pledged financial and technical assistance to the reconstruction efforts. Economic revitalization is essential for the process of reconciliation, for the improvement of living conditions and for the maintenance of durable peace both in Bosnia and Herzegovina and in the region.

Turkey also welcomes the conclusion of the meeting of the Ministerial Steering Board of the Peace Implementation Council and the Presidency of Bosnia and Herzegovina held in Paris on 14 November 1996, in order to define the guiding principles of the civilian consolidation plan of the peace process in Bosnia and Herzegovina in accordance with the Peace Agreement.

Lastly, Turkey welcomes the conclusion of the Peace Implementation Conference held in London on 4 and 5 December 1996, at which the Bosnian parties and the international community committed themselves to a detailed action plan to implement the Peace Agreement.

In this respect, we would like to point out that lifting of the economic sanctions should not be seen as a lack of resolve on the part of the international community. It ought to be seen as a goodwill gesture of the international community in encouraging the Republika Srpska to become a unifying element and a reliable partner of Bosnia and Herzegovina. Security Council resolution 1074 (1996), in its operative paragraph 5, does not rule out the reimposition of the sanctions if any party fails significantly to meet its obligations under the Peace Agreement. This fact is also recognized in the fifth paragraph of the guiding principles of the civilian consolidation plan of the peace process.

The Implementation Force (IFOR), led by the North Atlantic Treaty Organization (NATO), has played a crucial role from the time it was deployed until now in preserving peace and order and in ensuring progress on the rough road the peace process has been travelling on. The fragility of the general situation in Bosnia and Herzegovina requires that the international community move with caution and determination in contemplating the future of Bosnia and Herzegovina.

It is significant to note that IFOR has brought together 33 NATO and non-NATO countries in an unprecedented coalition for peace, stability and political and economic reconstruction. Although IFOR's mission has been accomplished, an international military presence is still required to provide the stability necessary to consolidate the peace. As indicated in the statement of the Ministerial Meeting of the North Atlantic Council held in Brussels two days ago, NATO is prepared to organize and lead a Stabilization Force (SFOR), to be authorized by a United Nations Security Council resolution under Chapter VII of the United Nations Charter, to take the place of IFOR.

Turkey believes that SFOR, as a successor to IFOR, will contribute to a secure environment necessary for the consolidation and stabilization of peace and deter or, if necessary, halt a resumption of hostilities. The duration of the SFOR mission is also significant to its success. Turkey is also prepared to contribute to SFOR.

We would like to emphasize that it is very important for the Security Council to reaffirm its full support for the sovereignty, legal continuity and territorial integrity of Bosnia and Herzegovina and to call upon those who are obstructing the peace process to comply fully with the relevant provisions of the Dayton Peace Agreement and its annexes, including the Constitution of Bosnia and Herzegovina.

We also take this opportunity to call upon all parties to cooperate fully with SFOR and with the International Police Task Force.

In conclusion, this is the most appropriate time to show that the Security Council is strongly committed to supporting and ensuring compliance with the provisions of the Peace Agreement and that it expects all parties to do the same. There is no doubt in our minds that the draft resolution before the Council will send the right and a clear message in this respect.

The President: The next speaker is the Permanent Representative of Ukraine. I invite him to take a seat at the Council table and to make his statement.

Mr. Zlenko (Ukraine): In adopting this draft resolution, the Security Council will dot the i's with regard to an issue that has been discussed from practically the moment it arose. The international community is resolved to eliminate one of the bloodiest conflicts in Europe since the end of the Second World War.

During the past year, we have very often heard the question of whether implementation of the Dayton Agreement was effective enough. Ukraine believes that the answer should be affirmative.

One cannot but recognize that an effective separation of the conflicting parties, a continuing ceasefire and peace now prevail in the region. No Bosnian has died in a military conflict in 1996. My delegation believes — and we see that this idea is fully shared by other States — that the military aspect of the Dayton Agreement, which has been implemented to a large extent, can be considered to be a significant success of the international community.

Having fulfilled its mission, the Implementation Force (IFOR) nevertheless continues to play an essential role. It will be years before bitterness and revenge will finally yield to tolerance and reconciliation. We cannot leave the peoples of Bosnia half way to peace. Having engaged itself in the peace mission, the international community should make it successful. At the same time, we strongly believe that the ultimate responsibility for the

establishment of a lasting peace in the region lies on the shoulders of the peoples living there.

We have to realize that, while the war in Bosnia has stopped, peace in Bosnia is far from being completely restored. A number of major causes of the civil war in Bosnia and Herzegovina have yet to be removed and it is only the continuing sound international presence, both military and civilian, that can prevent the resumption of hostilities even on a minor scale.

For this very reason, our delegation supports the provisions of part II of the draft resolution which stipulate the continued presence of a multinational stabilization force (SFOR) in Bosnia and Herzegovina for a planned period of 18 months.

Such a mission will contribute to the promotion of confidence- and security-building measures and ensure the full implementation of the Peace Agreement on subregional arms control. At the same time, SFOR will give wide-ranging support to the economic reconstruction and rehabilitation of civil society in Bosnia and Herzegovina.

Realizing its responsibility for the maintenance of peace and security in Europe, my country is willing to participate in a new operation in Bosnia in 1997. In spite of the extremely difficult domestic economic situation, the Government of Ukraine is making every effort to allocate the necessary financial resources that will enable it to continue dispatching the Ukrainian battalion currently serving with IFOR.

The presence of military force alone, however strong it may be, will not immediately lead to peace in Bosnia. Peace-building is a difficult and time-consuming process that demands patience as well as financial and material resources. My delegation believes that only economic reconstruction and development in Bosnia and Herzegovina can help to create a strong unified State.

In our opinion, in the process of restoring and reconstructing Bosnia and Herzegovina, top priority should be given to projects which would help to promote economic cooperation between the Federation and the Republika Srpska, as well as within the Federation itself. Such joint projects should, first of all, provide for the development of common transport and energy systems and the construction of settlements for refugees and displaced persons. All ethnic groups living in Bosnia and Herzegovina should enjoy equally the advantages of peaceful economic reconstruction, including international financial assistance. My delegation supports the provisions of the Action Plan adopted by the Peace Implementation Council at its recent Conference in London on 5 December 1996, which insist on the continued linkage between the provision of reconstruction assistance and the commitment of the authorities of the Federation and Republika Srpska to implementing the full scope of the Peace Agreement.

Ukraine attaches special importance to the involvement of its industrial potential in the process of the economic restoration and reconstruction of Bosnia's destroyed economy. The representatives of our country have repeatedly stated that such participation will be considered compensation for the billions of dollars which Ukraine lost as a result of its strict observance of economic sanctions imposed by the United Nations Security Council against the Federal Republic of Yugoslavia (Serbia and Montenegro). It should be taken into account that, in suffering these economic losses, Ukraine directly contributed to the initiation of the Dayton process.

With regard to part III of the draft resolution, my delegation shares the view expressed in paragraph 29. The successful implementation of the tasks of the International Police Task Force definitely depends on the quality, experience and professional skills of its personnel. At present, 33 Ukrainian policemen are carrying out their duties in Bosnia and Herzegovina. All of them have taken special training courses organized by the Ministry of Internal Affairs of Ukraine and have been acquainted with the traditions and cultures of the peoples of Bosnia and Herzegovina. We are pleased that their impartial and unbiased attitude towards the representatives of all ethnic groups in Bosnia is contributing to the strengthening of law and order in that country.

The problems of mine clearance present a serious obstacle to a stable, peaceful life and constitute a direct threat to the safety of international military and civilian personnel. That is why we consider it necessary to intensify efforts to solve these problems. My country is ready to dispatch its military experts to train Bosnians in mine-clearance techniques and to participate in the future programmes carried out by the United Nations Mine Action Centre. My delegation is satisfied that this issue has found its reflection in the aforementioned Action Plan.

The nearly five-year history of the conflict on the territory of the former Yugoslavia has convincingly proved that the perception of the Roman historian who

once wrote that certain peace is better and safer than anticipated victory has finally been understood by the international community, as well as by the parties in conflict. It makes us more confident in the final success of our common endeavour.

The President: The next speaker is the representative of Malaysia. I invite him to take a seat at the Council table and to make his statement.

Mr. Hasmy (Malaysia): My delegation participated in the Security Council meeting on 15 December 1995, when the Council decided to endorse the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina, or the Dayton Peace Agreement. We are happy to note that tangible progress has been made in the implementation of the Peace Accord, in particular on its military aspects. The fighting has ceased, and the warring parties have been separated, while the ceasefire generally has been respected.

In this respect, the presence of the multinational Implementation Force (IFOR) in Bosnia and Herzegovina has indeed contributed tremendously to the cessation of hostilities and the promotion of peace. Malaysia is proud to have been associated with IFOR. We welcome the concurrence of the Presidency of Bosnia and Herzegovina and the States concerned with the decision of the North Atlantic Treaty Organization (NATO) to continue the presence of a multinational Stabilization Force (SFOR) in Bosnia and Herzegovina to replace IFOR at the end of its mandate later this month. Malaysia is honoured to have been invited to be part of the new multinational force. We believe that the continued presence of the international military force would be immensely helpful in preserving and consolidating the peace and providing the necessary climate for a successful implementation of the civilian aspects of the Dayton Peace Agreement.

In this regard, my delegation wishes to underline the need for the mandate of SFOR to be reviewed to include assistance for implementation of the civilian aspects of the Dayton Agreements, in particular the apprehension and prosecution of war criminals, the safe return of refugees and displaced persons to their homes and the assurance of free movement of people throughout Bosnia and Herzegovina.

While we commend those responsible for this progress, we are concerned that many difficult problems remain in Bosnia and Herzegovina. It is appropriate, therefore, that at this meeting of the Council the international community is renewing its support for further efforts to bring about continued progress towards lasting peace, economic reconstruction, the strengthening of national institutions, the promotion of human rights and justice and, more importantly, respect for the independence, sovereignty, legal continuity and territorial integrity of a unified Bosnia and Herzegovina within its internationally recognized borders.

Malaysia considers the establishment and effective functioning of the appropriate common institutions of the State important in ensuring a stable Government of Bosnia and Herzegovina. We therefore welcome the holding of the elections for the Presidency and higher-level bodies last September, signifying as it did an important step in the process of democratization. We look forward to just and fair municipal elections to be held throughout Bosnia and Herzegovina next year under the supervision of the Organization for Security and Cooperation in Europe (OSCE). While we recognize the importance of strengthening those institutions, we wish to emphasize the need for the international community to remain concerned about attempts to minimize the role of the State of Bosnia and Herzegovina vis-à-vis its Entities.

Malaysia is concerned with the serious difficulties faced by the responsible authorities in Bosnia and Herzegovina in the implementation of the civilian aspects of the Peace Agreement pertaining to the safe return of refugees and displaced persons and freedom of movement. We believe that the right of return, as provided for in the Dayton Agreements must be honoured, and that the refugees must be allowed to return to their homes free of any form of harassment by the local authorities or ethnic majority in the area. We strongly condemn the wanton destruction of houses and other criminal acts aimed at hindering the free movement of people in Bosnia and Herzegovina. The entire international community must give adequate assistance to efforts to ensure that human rights throughout the country are fully respected.

Judge Antonio Cassese, President of the International Tribunal for the former Yugoslavia, when presenting the Tribunal's third annual report to the General Assembly last month, strongly expressed his dissatisfaction with the parties concerned for their lack of cooperation and failure to fulfil their obligations to the Tribunal as required by the Dayton Peace Agreement. My delegation is disturbed to note that the perpetrators of some of the worst crimes against international humanitarian law are still free and continue to exercise power and undermine the peace. It is

most regrettable that those with the strength and ability to do so have failed to apprehend these war criminals because of fears of reprisal or other reasons. Malaysia firmly believes that those responsible for the war crimes in Bosnia and Herzegovina should be brought to trial and punished for their heinous deeds. They must be held accountable for the atrocities which they have committed and the sufferings they have inflicted upon thousands of people in Bosnia and Herzegovina. The aggressors and murderers should not be allowed to think that life can go on as usual for them. It is therefore important that the political will of the international community be translated into more concerted and robust efforts to apprehend and prosecute those indicted war criminals.

The international community must underscore the importance of the work of the Tribunal in the context of securing peace and reconciliation in Bosnia and Herzegovina by ensuring that justice is served. In this regard, it should continue to provide strong support for the Tribunal, including financial support, to enable it to carry out its important responsibilities.

My delegation wishes to emphasize the need for strict compliance by the parties with their obligations under the subregional arms control agreement, which is an integral part of the Dayton Peace Agreement. Malaysia considers this aspect of the obligations under the arms control regime to be of the utmost importance in establishing regional stability. This vital confidence-building measure, if flouted, could have far-reaching consequences for the stability of the entire Balkan region. It is therefore important that the parties concerned comply in good faith with the obligations contained in the agreements reached in Vienna on 26 January 1996 and in Florence in June this year. Effective verification of the parties' compliance with the provisions of these agreements is imperative so that a credible balance of force can be established in the region.

My delegation believes that for peace to hold in Bosnia and Herzegovina, economic reconstruction and rehabilitation must proceed rapidly. We are concerned that the progress in this aspect of the Dayton Peace Agreement has been slow. Bosnia and Herzegovina, devastated by four years of war, requires enormous reconstruction efforts for the restoration of housing and the rehabilitation of industry to meet the immediate needs of returning refugees and to help create jobs for the people. The reconstruction of Bosnia and Herzegovina is a basic precondition for the stabilization of peace in the region. It is important to ensure that the areas that have suffered the most devastation of war are provided the bulk of this assistance. The victims of aggression ought to be given priority in the provision of assistance by the international community.

In this regard, Malaysia expresses the hope that the vigour with which the countries of the West pursued the transition to a market economy for the former Soviet States should be equally demonstrated with regard to Bosnia and Herzegovina. We are seriously concerned that failure on the part of the international community to respond with strong and decisive initiatives might undo the gains that have been made through the implementation of the military aspects of the Dayton Peace Agreement. The international community should seek to consolidate those gains rather than allow them to be whittled away for lack of progress in the reconstruction efforts for Bosnia and Herzegovina.

In this regard, we welcome the conclusions of the London Peace Implementation Conference held on 4 and 5 December 1996, which we earnestly hope will provide the impetus for more vigorous efforts on the part of the Bosnian parties themselves to consolidate peace in the country. As a member of the Ministerial Steering Board of the Peace Implementation Council, Malaysia has played its role and will continue to take an active part and contribute to the process to ensure that peace endures.

The President: It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

Mr. Qin Huasun (China) *(interpretation from Chinese)*: The flames of war in Bosnia and Herzegovina died out a year ago. During the past year, through the efforts of the parties concerned and with the assistance of the international community, the implementation of the Peace Agreement has been going well. The elections held in Bosnia and Herzegovina went smoothly and the constitutional institutions at various levels have begun to be formed. The Chinese delegation welcomes these positive developments.

Peace is not easy to achieve, and it is even harder to consolidate. Events have demonstrated that, as long as the parties concerned display sincere political will and an

earnest desire to implement the agreements reached, not only can peace be achieved but it can also be maintained.

The achievement and the consolidation of peace in the former Yugoslavia, particularly in Bosnia and Herzegovina, are not only consistent with the fundamental interests of the peoples of the States of the former Yugoslavia and the people of Bosnia and Herzegovina, it is also conducive to the peace and stability of Europe and the whole world.

We hope that the parties concerned in Bosnia and Herzegovina will continue to move the peace process forward in order to achieve genuine national reconciliation in Bosnia and Herzegovina at an early date.

On the basis of China's consistent position of principle of supporting Bosnia and Herzegovina's peace process, and also taking into account the requests of the parties concerned and the actual situation in Bosnia and Herzegovina, the Chinese delegation will vote in favour of the draft resolution.

At this time when the Security Council is about to adopt the draft resolution, I wish to point out the following.

First, the deployment of the multinational Stabilization Force (SFOR) is an important, major operation following the Implementation Force (IFOR). It should accept the political leadership of the Security Council and should report on schedule to the Security Council on its performance of its tasks.

Secondly, with regard to the draft resolution's invocation of Chapter VII of the Charter, regarding the authorization of enforcement measures and the use of force, China continues to have reservations. It is our view that SFOR must maintain strict neutrality and fairness and must not misuse force, and in its operations and should steadfastly promote peace and stability in Bosnia and Herzegovina.

Thirdly, it is the understanding of the Security Council is that the paragraphs of the draft resolution that invoke Chapter VII of the Charter do not apply to part III.

Mr. Inderfurth (United States of America): Today the Security Council, in authorizing the Stabilization Force (SFOR) and extending the mandate of the International Police Task Force will be taking two important steps in the international community's efforts to assist in the resolution of the tragic problems confronting the former Yugoslavia. In the year since the parties at Dayton agreed to engage in a serious, long-term peace process, we have witnessed much progress, but it is clear that much remains to be done.

Instrumental to the successes we have witnessed in Bosnia have been the multinational Implementation Force (IFOR) and the United Nations International Police Task Force (IPTF). Under the leadership of the North Atlantic Treaty Organization (NATO), IFOR has assured compliance with military aspects of the Dayton Accords, created secure conditions for conducting other tasks associated with the peace process and assisted in other aspects of implementation. Similarly, the IPTF has promoted long-term civil security by working with the parties to achieve fundamental reforms in law-enforcement institutions.

The United States would like to take this opportunity to express its appreciation and gratitude to all the men and women who have served with IFOR and the IPTF, and to the Governments which have cooperated to make these operations successful. The United States also expresses its appreciation to the High Representative and his associates, who have worked to implement civilian aspects of the Peace Agreement in a manner that both benefits from and enhances the activities of the military and police forces. And, of course, we express our appreciation to the non-governmental organizations and to the private individuals who are working to achieve peace in Bosnia and Herzegovina and throughout the region.

Knowing that IFOR's Security Council authorization was for approximately one year and bearing in mind the still very delicate nature of the situation in Bosnia and Herzegovina, the United States and other members of the international community have carefully considered the need for maintaining a military presence there. The United States believes that the deployment of a multinational Stabilization Force is an appropriate next step. SFOR will carry out IFOR's crucial functions but, in view of the progress that has been made, at a reduced scale. The United States encourages all members to cooperate with this Force, and all States to assist it in accomplishing its goals.

The United States also firmly supports the extension of the IPTF mandate. The law enforcement reform process that the IPTF has initiated with the parties, and will continue to oversee, is vital to maintaining not just basic law and order but also broader peace and stability. The provisions of the draft resolution that we are about to adopt will enable the IPTF to follow through more

effectively in this process. The ability of the IPTF to fulfil its responsibilities has in the past been handicapped by the lack of full cooperation by the parties and by serious administrative and logistical problems. By taking steps to ensure that the IPTF has the necessary resources in terms of both the quality of its personnel and adequate logistical support for its operations, we will permit the IPTF to focus on its most important mission. That mission is to help the parties develop law enforcement structures that are competent and dedicated to upholding internationally recognized standards of democratic policing and human rights.

In particular, we urge the parties to abide by the IPTF-promulgated internationally accepted principles of policing in a democratic State. To do so will require a vigorous process for screening, investigating and evaluating police officials in order to make sure that their performance conforms to international standards of policing and human rights. In general, we are convinced that improvements in this area, rather than any numerical increases in the number of IPTF personnel, will be the key to the success of the IPTF. The United States looks forward to regular reports from the Secretary-General that describe not only the IPTF's progress on these and other issues related to its mandate but also the parties' degree of cooperation with the IPTF.

To support the parties' efforts, the United States has pledged to provide appropriate assistance where significant progress towards these goals can be demonstrated. We will provide this aid through bilateral channels in coordination with the efforts of, and in furtherance of, the guidelines set out by the IPTF. We call on other Member States to do the same.

The United States and the international community maintain their commitment to working for peace and stability in the region, and the action we have taken today underscores the depth of that commitment. But we must also emphasize that, ultimately, the responsibility for maintaining peace and achieving reconciliation rests with the parties. We can assist, but only the parties can take the necessary steps to make peace a permanent feature of their landscape. In order to help achieve that goal, the United States calls on the parties to cooperate fully with the Stabilization Force (SFOR) and the IPTF, and with the several other broad-based international efforts now in progress in the region.

Indeed, it is the parties' responsibility not only to cooperate with SFOR and the IPTF, but also to implement all aspects of the Dayton Accords. In this regard, all States and parties must fully cooperate with the war crimes Tribunal in The Hague. The obligation to cooperate includes, as a matter of urgency, the arrest of individuals indicted by the Tribunal and their expeditious transfer to The Hague to stand trial. Efforts to avoid this obligation with so-called constitutional arguments or delays in transfer of apprehended indictees lack credibility.

We note that SFOR will continue to have the authority to detain indictees when it encounters them in the performance of its duties. All States and parties should recognize that there will be consequences for non-cooperation.

We call on the parties to honor commitments that would allow freedom of movement to all, including refugees and displaced persons, thus permitting them to return to their homes in dignity and without fear, and we emphasize the need for all parties to secure for each and every individual, regardless of his or her religious or ethnic background, the highest level of human rights.

If these steps are taken, the parties will be much closer to achieving stable democratic institutions and norms that promote the peaceful resolution of disputes and that encourage respect for a variety of beliefs and political views. For our part, the United States remains committed to the peace process and to promoting international engagement to help the parties achieve peace.

Mr. Abdel Aziz (Egypt) (*interpretation from Arabic*): The Security Council is meeting today to adopt a draft resolution that reaffirms a serious international resolve to achieve peace and stability in Bosnia and Herzegovina through a commitment to the full implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the Annexes thereto.

The draft resolution before the Security Council today is the beginning of a new phase, following the elections that took place according to Annex 3 of the Peace Agreement, and the beginning of the establishment of civilian institutions. This is a new phase, based on the conclusions of the meetings of the Ministerial Steering Board and of the Presidency of Bosnia and Herzegovina held in Paris, which adopted the Action Plan for the next 12 months to promote the civilian implementation of the peace process.

As we stand on the threshold of this new phase, my delegation would like to reaffirm a number of considerations that we believe should receive priority attention within the framework of the full implementation of the provisions of the Peace Agreement. These considerations are the following.

The first consideration is the importance of the resolve of the members of the Presidency of Bosnia and Herzegovina to commit themselves fully and without exception to follow up the peace process, on behalf of the three peoples that make up Bosnia and Herzegovina, in order to achieve full implementation of the Peace Agreement and to maintain the sovereignty of Bosnia and Herzegovina and its territorial integrity.

The second consideration is the importance of the commitment of all parties to full cooperation with all the entities participating in the implementation of the Peace Agreement, as well as with those entities charged with special missions by the Security Council, particularly the International Tribunal for the Former Yugoslavia and its orders for the arrest of those accused of violating the principles of international humanitarian law.

In this context, I should like to pay tribute to the central Government of Bosnia and Herzegovina for having carried out such orders, and to express our condemnation of the continuing refusal by other parties in the region to do so. I should like also to underline the role that the Stabilization Force (SFOR) must undertake in carrying out the arrest orders of the indictees as well as the need for the international community to exert as much pressure as possible to ensure full compliance with the Tribunal's orders.

The third consideration is the principle of conditionality underlined in operative paragraph 4 of the draft resolution, which links the availability of international financial assistance and the degree to which all the authorities in Bosnia and Herzegovina implement the Peace Agreement, including cooperation with the International Tribunal for the Former Yugoslavia and cooperation with the Action Plan that has been approved by the London Conference. That principle must be implemented so as to differentiate between those who cooperate and those who do not. It must be a continuing incentive to implement all the provisions of the Peace Agreement. It must not be used in a way that might cause some parties in Bosnia and Herzegovina to fall victim to the irresponsible behaviour of others.

The fourth consideration is the importance of the municipal elections to be held in 1997 under the supervision of the Organization for Security and Cooperation in Europe (OSCE) through its mission, which will continue its duties in the next phase.

The fifth consideration is the utmost importance of implementing arms-control measures in the region, fully and without any further delay. This must be done with goodwill, without seeking ways to avoid it. Full transparency must be ensured in such an implementation in order to establish mutual confidence.

The sixth consideration is that the highest level of respect for internationally agreed human rights and fundamental freedoms must be ensured, without religious or ethnic discrimination. All parties must ensure the right of all refugees and displaced persons to return freely and in safety to their original homes or any other place of their choice in Bosnia and Herzegovina.

Finally, the reconstruction and development of Bosnia and Herzegovina and the creation of a civil society there take on special importance at this stage. Such activities will lessen tensions in the region. Therefore, international financial institutions and donor States have a great responsibility to provide as much as possible in this field.

In the light of these considerations, and given the importance of continuing the uninterrupted implementation of the provisions of the Peace Agreement, Egypt has decided to contribute forces to SFOR. We have decided to continue providing police officers to the International Police Task Force in the next phase. Within the same context, the Egyptian delegation will vote in favour of the draft resolution.

Mr. Thiebaud (France)(*interpretation from French*): For a year now, France, together with its European Union partners and many other countries, has given its full military, political and economic support to the implementation of the Peace Agreement in Bosnia and Herzegovina signed at Paris on 14 December 1995.

Much progress has been made. A considerable task remains to be accomplished. The Conference held at Paris on 14 November 1996, which brought together for the first time the Foreign Ministers of the principal countries involved in the process and the newly elected Presidency of Bosnia and Herzegovina, made it possible to mark a new stage in the process. A plan for the consolidation of

the civilian aspects of the peace process was adopted to cover a period of two years, during which the international community is ready to maintain its efforts for the recovery of Bosnia and Herzegovina on the condition that the authorities of that State fully respect their commitments.

On the basis of the priorities for action very specifically defined at Paris with the full agreement of the parties, the London Implementation Conference, meeting from 4 to 5 December, developed a detailed 12-month programme that will be carefully followed. At those two Conferences, the terms of a moral contract, reiterated in the draft resolution, were concluded between the international community and the new authorities of Bosnia and Herzegovina. The primary responsibility for implementation of the peace process falls to the authorities of Bosnia and Herzegovina themselves, who, over the next two years, must assume a growing share of the responsibilities borne or coordinated today by the international community.

If these authorities do not honour their commitments and do not participate actively in the reconstruction of their civil society, they will not be able to expect the international community or the major donors, first among them the European Union, to continue to assume the political, military and economic burden of efforts to implement the peace process and to reconstruct the country.

In that context, France will support the draft resolution. The text authorizes the establishment of the Stabilization Force, which will take over from the Implementation Force (IFOR) for a planned duration of 18 months, which should ensure a safe environment for the activities of the international community during the consolidation period of the civilian aspects of the Peace Agreement. This text more generally reflects the agreements reached between the international community and the authorities of Bosnia and Herzegovina on how to approach the coming two years.

Among the main points, I will mention four: the commitment of all the authorities of Bosnia and Herzegovina to participating without reservation in the establishment of a democratic Bosnian State, which will require the implementation without delay and in good faith of new common institutions; and the obligation to cooperate without reservation with the International Tribunal for the prosecution of crimes committed in the former Yugoslavia, which will entail - in particular for all the authorities of Bosnia and Herzegovina - the obligation to surrender all persons indicted. The responsibilities of the parties is very clear on this important point and was the subject of specific reference in the Conclusions of the Paris Conference, in which the authorities of Bosnia and Herzegovina recognize the link that the international community may make between their cooperation with the Tribunal and assistance in the reconstruction of the country.

As regards the reaffirmation and strengthening of the substantial role of the High Representative, the experience of the past year has confirmed his centrality in the effective implementation of the Peace Agreement. In officially confirming his powers to coordinate international action, interpret the Peace Agreement and counsel the parties, we will give the High Representative the means to play the full role as an initiator and monitor that is essential to the success of the consolidation plan over the next two years. Beyond the mechanisms, the office of the High Representative depends on the high calibre of the incumbent. France wishes to take this opportunity warmly to congratulate Mr. Carl Bildt for the work he has already done.

Finally, in agreement with the authorities of Bosnia and Herzegovina, a more active mandate should be defined for the International Police Task Force. In this area, however, the primary responsibility for progress will once again fall to the Bosnian parties, whom the international community is prepared to encourage and assist but cannot and should not replace.

It is for all of those reasons that France will vote in favour of the draft resolution.

Sir John Weston (United Kingdom of Great Britain and Northern Ireland): Twelve months ago, this Council adopted a resolution which helped set in motion the largest and most complex operation to reconstruct a shattered European country to be undertaken by the international community for the last 50 years. Since then, much has been achieved. The guns have stayed silent. The armies are back in barracks. A quarter of a million refugees have returned. Reconstruction has begun in earnest. Sarajevo, so long under siege, has been transformed. Elections have been held. The newly elected Presidency of Bosnia and Herzegovina has begun its work. And last week in London, for the first time since the Peace Agreement was signed, all members of that Presidency, together with the elected leaders of the two Entities, took part in an international Conference sitting behind a single name-plate labelled "Bosnia and Herzegovina" — a small but nevertheless significant step in itself.

This is a good record and should be recognized as such. The British Government acknowledges the efforts of all those who have contributed and in particular, as other have said, the exceptional dedication shown by the High Representative, Mr. Carl Bildt.

But, of course, such progress is not enough in itself. That is why the international community decided, at the recent Peace Implementation Conference held in London, to continue to devote very significant resources to help the people of Bosnia and Herzegovina re-establish their own country. The United Kingdom, for its part, is contributing up to 5,000 troops as part of the Stabilization Force, which will involve the members of the North Atlantic Treaty Organization (NATO) in partnership with 17 or more other countries. We particularly welcome the participation of the Russian Federation in that Force.

The United Kingdom will increase its assistance to the United Nations International Police Task Force, including the deployment of 30 police officers to assist in the retraining of the local police forces, as well as providing training for senior police officers in the United Kingdom and on the ground. And the United Kingdom is significantly increasing its financial support to the International Tribunal for the former Yugoslavia, including the secondment of personnel to enhance the Tribunal's ability to track the whereabouts of war-crimes indictees. We urge others to join us in such undertakings.

Underlying the approach set out in the Action Plan agreed with the authorities of Bosnia and Herzegovina last week in London is the principle that responsibility for promoting reconciliation lies with the authorities in Bosnia and Herzegovina themselves and that the international community's willingness to help them by devoting significant resources will inevitably depend on the degree to which those authorities shoulder this responsibility, including implementing the Peace Agreement.

One key area in this respect is compliance with the International Tribunal. The Peace Implementation Council last week formally reaffirmed its strong support for the work of the Tribunal. We particularly welcome the emphasis placed on the surrender of indictees in the draft resolution before us, of which my delegation is a sponsor. It is now up to authorities in Bosnia and Herzegovina, as well as the Governments of neighbouring states, to respond.

Mr. Metscher (Germany): Allow me first to endorse fully the statement made by the Permanent Representative of Ireland on behalf of the European Union.

Significant progress has been made in Bosnia and Herzegovina since the Peace Agreement was signed in Paris, and since this Council authorized the Implementation Force a year ago. The fighting has stopped; peace is taking root.

This is, above all, a cause for relief and satisfaction after the four years of bloody fighting. And it is a reason to pay tribute to all those men and women in the multinational force, as well as those in the other international organizations, who have helped to make that progress possible. We commend the dedication, courage and professionalism with which these men and women have carried out their tasks and continue working for a lasting settlement of the conflict.

However, we all agree that this peace is still a fragile one. There is a compelling need to safeguard the progress achieved so far and to stabilize peace in the region by a further and substantial commitment on the part of Member States. This commitment includes a continued military presence in the field, which we will authorize today, which is tasked to secure the environment for consolidation, stabilization and, in the end, for political reconciliation and economic reconstruction.

Allow me to stress two important aspects of the stabilization period ahead of us. The main and primary responsibility for implementing the Peace Agreement rests with the authorities and the citizens of Bosnia and Herzegovina. Furthermore, the willingness of the international community to devote human and financial resources to the peace process is dependent on the commitment of all authorities in Bosnia and Herzegovina to fulfil their obligations under the Dayton Accords. This includes full cooperation with all the institutions set up to support the peace process.

Among these institutions, the International Tribunal for the former Yugoslavia figures prominently. My Government attaches particular importance to the requirement that all authorities of Bosnia and Herzegovina, and all States in the region, execute arrest warrants against indicted persons and surrender them to the Tribunal without further delay.

Of equal importance to my Government is the obligation of the Entities to create and maintain conditions which encourage refugees and displaced persons to return to their homes of origin or to other places of their choice. The return of refugees is an

essential condition, perhaps the most important condition for the reconciliation and rehabilitation of the country.

Together with our partners in the European Union and in the North Atlantic Treaty Organization (NATO), Germany has devoted substantial means to supporting the implementation of the Peace Accords, in both their military and civilian requirements. We will continue to do so.

Yesterday, the German Government decided to provide 3,000 troops to the new Stabilization Force (SFOR). Our German contingent will be stationed in Bosnia and Herzegovina and will include infantry and armoured reconnaissance units. We will also continue to provide one of the largest contingents of police officers for the International Police Task Force.

Although we will agree today on a mandate for the legal successor to the Implementation Force, it is evident that the emphasis is now on the civilian aspects of the Peace Agreement. The building of common institutions, respect for human rights, adherence to the principles of democratic policing, social rehabilitation, the return of refugees and displaced persons and the reconstruction of the economy have become the focus of our efforts.

Allow me, therefore, to conclude by paraphrasing Martin Luther King: Our aim is not only a negative peace, which is the absence of tension, but also a positive peace which is the presence of justice.

Mr. Choi (Republic of Korea): By dint of the concerted and unstinting efforts of the international community, including United Nations agencies, the Implementation Force (IFOR) and the Organization for Security and Cooperation in Europe (OSCE), significant progress has been made during the past year towards peace and stability in Bosnia and Herzegovina.

The guns have fallen silent. The terrible bloodshed that has plagued the Balkan region for four years has finally stopped, and life is slowly returning to normal. The long and difficult healing process of reconciliation among the warring parties and ethnic reintegration can at last get under way. On the basis of the Peace Agreement for Bosnia and Herzegovina, elections were held, and common institutions are taking shape. Furthermore, relations among all the successor States to the former Socialist Federal Republic of Yugoslavia have greatly improved.

What has been achieved thus far must not be squandered, but rather consolidated. To that end, we firmly believe that the support of the international community must continue. In this context, my delegation welcomes the decisions taken at the recent Paris and London Conferences designed to strengthen the peace process by encouraging reconciliation and economic, political and social rehabilitation.

In the same vein, we fully support the establishment of the multinational Stabilization Force (SFOR) for a period of 18 months, the extension of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) mandate for another year and the continued coordinating role of the High Representative.

However, these international commitments and burden-sharing are contingent upon the active participation and full cooperation of all the authorities in Bosnia and Herzegovina in rebuilding a unified and harmonious multi-ethnic society. This linkage must be clearly understood.

On the eve of the next stage of the peace process, my delegation urges all the leaders of Bosnia and Herzegovina to intensify efforts to match the resolve and commitment of the international community. That having been said, we wish to underscore two critical problems calling for immediate and resolute action by the parties directly concerned.

One is the disturbing trend of ethnic separation, manifested in the ever-worsening conditions surrounding freedom of movement and the return of refugees and displaced persons, as well as the ongoing harassment of minorities. The other is the lack of progress in bringing indicted war criminals to justice. In our view, these lamentable facts are perhaps the greatest obstacles to far-reaching peace and social stability for the war-weary people of Bosnia and Herzegovina, and can only be overcome through the demonstrated will and determination of their leaders. With these remarks, my delegation supports the draft resolution before the Council today, and will vote in favour of its adoption.

In closing, my delegation would like to pay high tribute to the dedicated men and women of IFOR, UNMIBH and all the other international agencies operating in the region whose commendable dedication has paid off through the burgeoning peace and stability in Bosnia and Herzegovina.

Mr. Wlosowicz (Poland): One year ago, the successful conclusion of the London and Paris

Conferences and the signing by the Federal Republic of Yugoslavia (Serbia and Montenegro), Bosnia and Herzegovina and the Republic of Croatia of the General Framework Agreement for Peace in Bosnia and Herzegovina began the process of restoration of peace and security to the Balkan region. To assist the signatories of the Agreement in its implementation, the Security Council, by adopting resolutions 1031 (1995) and 1035 (1995), authorized the establishment of the multinational Implementation Force (IFOR) and the United Nations Mission in Bosnia and Herzegovina (UNMIBH).

In the course of one year the situation in Bosnia and Herzegovina has changed immeasurably. The end of the bloody war, and the recognition by the Federal Republic of Yugoslavia (Serbia and Montenegro) of Bosnia and Herzegovina as a sovereign independent State within its international borders, were among the most important developments. During this year, much has been achieved in the implementation of both the military and civilian aspects of the Peace Agreement. The ceasefire continues to hold; the parties to the Agreement have withdrawn their forces from the zone of separation; the process of withdrawal of heavy weapons, as well as the demobilization or quartering of troops, has significantly advanced; most prisoners of war — although, regrettably, not all of them — have been released.

For lasting peace in Bosnia and Herzegovina, full implementation of the civilian aspects of the Peace Agreement is crucial. We welcome the progress made in this direction. In particular, we would like to underline the fact that, in spite of difficult conditions, the elections in Bosnia and Herzegovina were held in September this year in a calm and orderly manner. They laid the foundations for establishing and developing common democratic institutions in that country. Another sign of a positive tendency in the implementation of the civilian aspects of the Agreement is a noticeable increase in the frequency of movements across the Inter-Entity Boundary Line, as well as the continuation of training and restructuring of the Federation Police Force. However, regardless of the progress already achieved, we cannot forget that the situation in Bosnia and Herzegovina, and in the whole region, continues to be precarious. There are some outstanding issues between the States of the region that must be settled as soon as possible. Moreover, there are provisions of the Peace Agreement that still remain to be implemented or whose implementation must be improved.

In the view of the Polish delegation, the voluntary return of refugees and displaced persons to their places of residence before the war remains a fundamental provision of the Peace Agreement that still has not been implemented. This question takes on key importance for the future of the country, especially in the present circumstances, before the local elections planned for 1997. The problem of refugees is additionally aggravated by the severe shortage of housing space caused by damage to housing stock and by the fact that previously abandoned households are now occupied by refugees from other regions. Delays in the implementation of this particular part of the Peace Agreement has produced further tension in Bosnia and Herzegovina, and remain a source of possible conflict in the future.

Another problem that in our view is of paramount importance to the peace process in Bosnia and Herzegovina is the issue of cooperation of States and Entities with the International Criminal Tribunal for the Former Yugoslavia. Unfortunately, the parties to the Agreement have not yet met their obligation to detain indicted war criminals and turn them over to the Tribunal. We reiterate our strong support for the work of the Tribunal and stress the need for consistent prosecution of war crimes committed during the conflict in the territory of the former Yugoslavia.

It is our conviction that without the various forms of the presence of the international community in Bosnia and Herzegovina, the process of consolidation of peace would not be possible. The Polish delegation is of the view that the multinational Implementation Force and the International Police Task Force (IPTF) in particular have played an extremely important role during this year in creating conditions conducive to a secure and durable peace in Bosnia and Herzegovina. We therefore pay tribute to all the women and men of IFOR and IPTF who have dedicated their untiring efforts to performing their tasks in an effective manner. Poland, together with many other countries, contributed personnel to the multinational Implementation Force and the International Police Task Force. Today, we remain equally committed to the consolidation of peace and stability in Bosnia and Herzegovina, and wish to declare our readiness to use all the means at our disposal to make a further contribution to that cause.

It is our firm belief that, in order to ensure further implementation of the Peace Agreement and, thus, the consolidation of peace in Bosnia and Herzegovina, the international community must maintain its presence in that country. We therefore fully support the draft resolution that is before us today and the decisions

contained therein, which will lead to the establishment of the multinational Stabilization Force (SFOR) for a planned period of 18 months, and to the extension of the mandate of the United Nations Mission in Bosnia and Herzegovina for an additional period of one year. The Polish delegation is convinced that SFOR, as the legal successor of IFOR, will fulfil the role specified in Annex 1-A and Annex 2 of the Peace Agreement. We are also confident that UNMIBH will carry out its mandate with the same dedication as in 1996.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): It is almost one year since the Security Council took a decision that began the implementation of the Peace Agreement for Bosnia and Herzegovina. Today, we note with satisfaction the significant progress that has been achieved along this road. The primary achievement is, unquestionably, the preservation of peace. This has made it possible to ensure the holding of elections and to begin building joint institutions of power. We are grateful to the High Representative, to the staff members of the international organizations, and to the soldiers and officers of the multinational Implementation Force, which includes a Russian brigade, for their contribution to the implementation of the Peace Agreement.

Today, in response to the request of the Presidency of Bosnia and Herzegovina, the Security Council has given its approval to the continuation of international efforts to consolidate the peace process on the basis of the principles laid down in the decisions taken at the Paris and London Conferences. It is clear that primary responsibility for the successful development of the peace process lies with the Bosnians themselves, and also with their elected organs of power, to whom there must be a gradual transfer of full and complete responsibility for the situation in the country. Their level of cooperation in the implementation of the Peace Agreement will largely determine the degree of involvement of the international community in the process of reconstruction of Bosnia and Herzegovina.

We welcome the confirmation, by the Presidency of Bosnia and Herzegovina, of its commitment to the establishment of a Bosnian State, based on the principles of democracy, and consisting of two Entities: the Federation of Bosnia and Herzegovina and the Republika Srpska. It is important to ensure the rapid establishment of all remaining joint institutions in accordance with the constitution.

The United Nations Security Council, in the draft resolution before it today, clearly sets out as priorities the civilian aspects of the settlement at the present stage. The role of the High Representative has been strengthened. On the agenda is the holding of municipal elections under the aegis of the Organization for Security and Cooperation in Europe (OSCE), further assistance in ensuring human rights, and a solution to problems related to the return of refugees, which must be orderly and must be carried out under safe conditions.

The greatest attention is being focused on lowering the level of armaments on the basis of the relevant agreements, and making progress in the process of regional control of armaments.

The experience of the first year of international efforts in support of the Peace Agreement is convincing testimony to the fact that success is possible only on the basis of an impartial approach. Everything must be equal: the support for the recovery of various regions in Bosnia and Herzegovina and, if necessary, the punishment, including the refusal of economic assistance or the adoption of other measures, for failure to carry out obligations assumed under the Peace Agreement.

The draft resolution before us clearly lays down the principle of equal treatment of the parties. This also applies to the issue of cooperation with the International Tribunal for the former Yugoslavia, which, as the draft resolution emphasizes, is to carry out its responsibilities for dispensing justice impartially. The Tribunal should not be used as a political instrument.

In our view, success in this incipient stage of the Bosnian settlement and in the work of the Stabilization Force is guaranteed by the fact that their key parameters, including measures of influence, are supported by all members of the Presidency of Bosnia and Herzegovina and by the leadership of Croatia and the Federal Republic of Yugoslavia, as reflected in the Security Council resolution.

We hope that the unanimous adoption of this draft resolution will symbolize the need for sustained coordinated efforts by the United Nations, the Organization for Security and Cooperation in Europe, all participants in the settlement and the interested parties themselves to move the peace process forward to the point of no return.

Mr. Wibisono (Indonesia): Let me begin by thanking the Secretary-General for his comprehensive report of 9 December 1996 on the situation in Bosnia and Herzegovina. The report highlights the fact that the

implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina is now entering a new phase of consolidation of the peace process. This consolidation is illustrated by the Conclusions of the Peace Implementation Conference held in London, following the Paris Conference on the civilian consolidation plan of the peace process. This brings to light the many tasks needed to be accomplished by the parties to rebuild Bosnia and Herzegovina with the help of the international community. Given the hostile forces that continue relentlessly to oppose a unified Bosnia and Herzegovina, and especially any type of harmonious relations between the different ethnic and religious groups, it is no small accomplishment that the peace has held and that progress has been made.

The fact that the international community stepped into this conflict and laid down the framework for peace has given the people of Bosnia and Herzegovina an historic opportunity. The Implementation Force (IFOR), which was created in accordance with the Dayton Agreement, played a pivotal role, *inter alia*, in enforcing the ceasefire and in separating the warring parties along the demilitarized zones. Furthermore, the elections held last September have brought the country nearer to reconciliation and paved the way for the establishment of common national institutions. These were the first steps towards creating a unified Bosnia and Herzegovina and bringing democracy to the country.

However, Bosnia and Herzegovina is still devastated and traumatized after four years of brutal warfare and its soil remains fertile for the eruption of tension and violence. Indeed, the Peace Implementation Conference, held this month in London, expressed concern and dismay at the continuing deadlock in the full implementation of all aspects of the Peace Agreement.

My delegation is of the view that the persistent attitude of non-compliance with many of the essential provisions set out by the Peace Accords is a constant threat to peace in Bosnia and Herzegovina. This is especially complicated by the refusal of the States to turn over indicted war criminals to the International Tribunal for the former Yugoslavia. Furthermore, the right of refugees and displaced persons to return to their homes has been trampled upon by the Bosnian Serbs. Consequently, hundreds of thousands of people whose homes are located in the territories gained as a result of aggression remain refugees, while countless more remain unaccounted for. Likewise, freedom of movement is seriously hampered and human rights abuses continue to be carried out on the basis of ethnicity. The situation is compounded by the inordinate delay in the establishment and functioning of the new common institutions. Adding to the atmosphere of continued tensions, the non-compliance with the arms-control provisions of the Dayton Accords and the non-cooperation with the Organization for Security and Cooperation in Europe (OSCE) and IFOR cannot but have ominous implications for regional security and stability.

Hence, at this critical stage, my delegation deems of utmost importance the respect for the principal provisions of the peace accord, such as cooperation with the International Tribunal, leading to the arrest, extradition and trials of those responsible for atrocities; the resettlement of refugees to their homes of origin, free from harassment and discrimination; the rapid establishment and functioning of the new political institutions; and respect for the arms-control provisions of the peace plan.

The Republic of Bosnia and Herzegovina has accepted the reality of one State, two entities and three peoples. Hence, the international community must render its full support to the Government of Bosnia and Herzegovina at this critical and historic moment as it struggles to establish peace, security and stability on the basis of full and consistent implementation of the General Framework Agreement. The leaders of Bosnia and Herzegovina now have an unprecedented opportunity to work for the consolidation of a sovereign and united country based on the rule of law, respect for human rights and the development of viable representative institutions within the framework of a multi-cultural, multi-ethnic and multi-religious society. However, this will become a reality only when priority is accorded to economic reconstruction, leading to the restoration of the prosperity of the Bosnian people. This should be bolstered by the fulfilment of the solemn commitments to the Peace Agreement undertaken by the parties concerned and their respect for the internationally recognized borders of Bosnia and Herzegovina.

My delegation is of the view that a continuing and credible international presence will be essential to consolidating the gains achieved so far. In this context, the continued deployment of international military forces will be necessary, not only to reflect the commitment of the global community to facilitating the transition to a lasting peace, but also to prevent the resumption of conflict, with its attendant consequences. In this regard, my delegation is of the view that the creation of the Stabilization Force to replace IFOR for a planned period of 18 months is imperative to keeping the momentum of the peace process going. In addition, my delegation fully

supports the Secretary-General's recommendation to extend the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) until December 1997. UNMIBH, including the International Police Task Force (IPTF), will make substantive contributions in the coming consolidation period to bringing lasting peace to Bosnia and Herzegovina. Based on these considerations, we will vote in favour of this draft resolution.

In conclusion, my delegation would like to express its deep gratitude to the international community for its work to establish peace in Bosnia and Herzegovina, to the High Representative, Mr. Carl Bildt, for his coordination efforts and to the numerous United Nations agencies which are relentlessly endeavouring to help rebuild this country. Finally, we would like to thank the Special Representative, Mr. Iqbal Riza, and the IPTF Commissioner, Mr. Peter FitzGerald, as well as their staff, for their commitment to Bosnia and Herzegovina.

Mr. Malebeswa (Botswana): We wish to pay special tribute to all the international personnel on the ground in Bosnia, and in particular to the High Representative, Mr. Carl Bildt, who, along with others, has helped to ensure the substantive progress towards peace and stability in Bosnia and Herzegovina that we celebrate today.

We welcome the substantial progress achieved in the last 12 months towards restoring order and tranquillity to the State of Bosnia. Most of the military provisions of the Dayton Peace Agreement have been implemented. The national elections were held on schedule on 14 September 1996 in a relatively calm atmosphere, though there has been an unwelcome delay in the establishment of the new institution of Government. In addition, the International Police Task Force (IPTF) has made substantial progress in the implementation of its mandate.

Despite the progress, the overall situation in Bosnia and Herzegovina is not what we would have liked it to be. This does not, however, come as a surprise because we have always known that, after four years of bitter civil war, the path to lasting peace and stability would be strewn with formidable obstacles. To our regret, there are ominous signs that some in Bosnia still continue to pursue the aim of communal separation.

The draft resolution we are about to adopt gives the multinational peacekeeping force and the IPTF new mandates. It is yet another important demonstration of the international community's continuing commitment to support the process of national reconciliation and reconstruction in Bosnia. It is important that the people of Bosnia not misuse this support. Botswana has consistently maintained that the ultimate responsibility for lasting peace and stability in Bosnia rests with none other than the people of Bosnia and Herzegovina themselves. The international community can only help them to help themselves.

It is most regrettable, therefore, that the parties have continued to lag behind schedule in the implementation of the various aspects of the Dayton Peace Agreement. The most troubling delays concern the return of refugees, the free movement of people, respect for human rights, cooperation with the war-crimes tribunal, the arbitration of the Brcko Area and the disarmament process.

We are particularly concerned at reports of local incidents caused by ethnic tension and intolerance throughout the country. Over 1 million internally displaced people do not feel secure enough to return to their communes because of ethnic intolerance and harassment. In addition, 1.2 million people still live outside the country as refugees. The great majority of the people of Bosnia want to live in peace, but it is their political leaders, from all sides, who continue to prevent them from putting the horrors of the recent past behind them. They continue to exploit and fuel ethnic tension for their own personal benefit. We want to appeal to those concerned, in the interest of peace and national reconciliation, to put aside their personal interests in favour of the common good in Bosnia. It is time for the people of Bosnia to begin to realize that they have a common destiny. They should assume greater responsibility for the establishment of peaceful conditions in their country, and they should do so with utmost dispatch. They should not assume that the international community will baby-sit Bosnia indefinitely.

Certainly, the process of reconstruction and development will require generous support from the international community, but, as the draft resolution rightly points out, the link between the availability of international financial assistance and the degree to which all the authorities in Bosnia and Herzegovina implement the Peace Agreement cannot be overlooked. The differences that impede the implementation of the Peace Agreement must be resolved as a matter of urgency. In this respect, the human rights provisions of the Peace Agreement should be fully implemented and all the indicted war criminals rounded up and handed over to the International Criminal Tribunal for the Former Yugoslavia in The Hague for prosecution. The authorities in Bosnia

and Herzegovina must also create the necessary conditions for the early return of refugees and internally displaced persons to their homes of origin.

We are concerned at the report of the re-arming of the parties. It is important for the parties to commit themselves once and for all to the disarmament provisions of the Peace Agreement. It would be tragic, to say the least, if hostilities were to resume in Bosnia simply because one side or the other had received enough weapons from outside Bosnia to give it the courage to try and wrest from others, through the use of force, what it could not obtain at the negotiating table. We therefore want to appeal to Member States to heed the arms provisions of the Peace Agreement and desist from supplying any of the sides in Bosnia with weapons.

My delegation fully supports the conclusions of both the Paris and London Conferences, and will therefore vote in favour of the draft resolution before us.

Mr. Searle (Chile) (*interpretation from Spanish*): A year has elapsed since the signature in Paris in December 1995 of the General Framework Agreement for Peace in Bosnia and Herzegovina. The various bodies involved in the peace process have had a chance to take stock of what has been achieved and to draw some basic conclusions to help guide the action of the international community in the months to come.

On this occasion, my delegation would first like to pay tribute to the High Representative, Mr. Carl Bildt; to the Special Representative of the Secretary-General and Coordinator of the United Nations operations in Bosnia and Herzegovina, Mr. Iqbal Riza; to the Commissioner of the International Police Task Force (IPTF), Mr. Peter FitzGerald; to the Commander of the Implementation Force (IFOR); and to the many men and women from various international organizations, within or outside the United Nations system, who this year have been devoting their utmost efforts to the cause of peace.

We are satisfied and encouraged by the great strides made in the implementation of the peace process and by the resulting substantial improvement in the situation in Bosnia and Herzegovina. The fact that in 1996 no human lives were lost as a result of direct military action is a relevant indicator that contrasts with those of previous years. It alone justifies the extensive resources that have been deployed.

The holding of elections last September, with broad participation by the citizenry; the gradual establishment of new, joint multiethnic institutions; economic reconstruction; the restoration of essential public services; and internationally, mutual recognition between neighbouring States: these are all obvious steps forward. They have contributed to an improvement in the living conditions of the entire population, and they encourage the international community to persist in its efforts for peace.

However, at the same time we cannot conceal our concern at the fact that certain essential commitments made in Dayton have not been implemented and continue to be delayed or to make very slow progress. These commitments include freedom of movement, the return of refugees and displaced persons to their places of origin, an end to the harassment of minorities and respect for human rights. Generally speaking, the predominance of the forces of separation over those of integration is, unfortunately, gravely undermining the very spirit of the Dayton Agreement and seriously threatening the medium- or long-term success of the Peace Agreement.

We believe that the international community is fully aware that, after four years of bitter war, complete normalization cannot be achieved in the short space of one year. However, we also believe that we should not resign ourselves to the fact that, in this initial stage, progress is not being made on many of the basic aspects of the Dayton Agreement mentioned earlier — particularly since, as time goes by, it is going to become even more difficult to make headway.

We find it appropriate that the draft before says that the primary responsibility for further implementation of the peace process falls to the authorities of Bosnia and Herzegovina themselves, and unless they fulfil their obligations and participate actively in the reconstruction of a civil society, they cannot expect the international community to continue to bear the political, military and economic burden of the activities of implementation and reconstruction.

Similarly, the availability of international financial assistance has been very reasonably linked, in our judgement, to the extent of fulfilment of the Peace Agreement by all authorities of Bosnia and Herzegovina. We note that fulfilment includes cooperation with the International Tribunal for the former Yugoslavia, which is of particular importance to my delegation. We recall that no Member State can be exempted from the obligation to cooperate fully with the activities of the Tribunal.

We believe that lasting peace and reconciliation will become possible in the Balkans only to the extent that justice can be administered, and we feel that the terrible crimes that have been repudiated by international conscience in recent years must not go unpunished.

While it is true that a period of consolidation is now beginning, in which the emphasis will be mainly on fulfilment of the civilian aspects of the Peace Agreements, we cannot overlook the continuing importance of the military provisions of the Agreement. We therefore welcome the creation of the Stabilization Force as the legal successor of the Implementation Force (IFOR) to fulfil the tasks stipulated in annex 1-A and annex 2 of the Peace Agreement, and we express our recognition of the Member States that have committed themselves to participate in it. We are convinced that their essential involvement will be a decisive contribution to the cause of peace, as was the case in 1996 with the Implementation Force.

In the same vein, my delegation firmly supports the extension of the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH), including the International Police Task Force (IPTF), which will be entrusted with the tasks set forth in annex 11 of the Peace Agreement. Its primary role in assisting in the restructuring the local police forces and the establishment of law-enforcement institutions deserve our full support.

Finally, we appeal to the authorities of the two Entities of Bosnia and Herzegovina to give their resolute and unreserved support, commitment and total dedication to the comprehensive implementation of the Peace Agreement in this new stage so as to make the peace, progress and well-being so long awaited by their peoples a reality.

The President: I now call on the representative of Honduras.

Mr. Rendón Barnica (Honduras) (*interpretation from Spanish*): The General Framework Agreement for Peace in Bosnia and Herzegovina and its annexes constitute the most important international instrument, and the most difficult to implement, ever signed for the achievement of peace in that region of the world. Its main goals are the achievement of national reconciliation based on justice in a country that has suffered the devastating effects of war; a return of refugees and displaced persons to their homes in a country where much of the population was displaced by the civilian conflict, harassment and fear; and national reconstruction in a country whose economy is devastated and whose society must gradually be rebuilt.

A year has gone by since the signing of the Peace Agreement, and several advances have been made during this initial period of its implementation. The military and territorial provisions have been complied with, and compliance with the political provisions of the Agreement has gained renewed impetus with the elections held on 14 September last, certified by the Organization for Security and Cooperation in Europe (OSCE). In spite of certain difficulties the elections reflected the will of the peoples of Bosnia and have paved the way towards the beginning of the establishment of common institutions in the country and towards a new constitutional order in which there will be no room for the structures, practices and institutions of the past. The peoples of Bosnia and Herzegovina must now seek to ensure that the conditions exist for those common institutions to be established, to function and to be duly respected.

My delegation welcomes the achievements made in the process of implementation of the Peace Agreement. However, we believe that much remains to be done. Observance of and respect for human rights in all of the territory of Bosnia and Herzegovina remains the key, central element of the Peace Agreement. Unfortunately, in this area the situation has not changed. In Bosnia we still see a pattern of continuous ethnic harassment, which, if not reversed, will jeopardize the achievement of the goal of a unified society in that country. If human rights are not respected there will be no true freedom of movement. If there are no guarantees that human rights will be observed, one cannot hope that refugees and displaced persons will return to their places of origin and thus contribute to national reconstruction. Therefore, we believe progress in this area is essential for the implementation of the peace process.

Similarly, there must be greater cooperation by the parties with the International Tribunal for the former Yugoslavia. Not complying with this obligation would have a negative effect on all the efforts being made to promote reconciliation between the peoples of Bosnia and Herzegovina. We urge all States involved to arrest those who are accused of committing war crimes and to turn them over without delay to the Tribunal for trial.

The peace process in Bosnia and Herzegovina is in a stage of consolidation in which the assistance of the international community for the tasks of economic reconstruction is vital. We observe with satisfaction the renewed commitment by the international community to contribute substantially to that goal by providing the necessary human and financial resources. At the same

time, however, we recognize that these efforts could be in vain if the authorities in Bosnia and Herzegovina do not respond appropriately by fulfilling their obligations under the Peace Agreement and adopting the measures needed for serious economic reform.

While my delegation recognizes that the primary responsibility for implementation of the obligations contained in the Peace Agreement falls to the authorities of Bosnia and Herzegovina, we consider that the United Nations should continue to contribute to that task and to lend its full support to the High Representative in his activities of monitoring the implementation of the Agreement.

My delegation will vote in favour of the draft resolution extending the mandate of United Nations Mission in Bosnia and Herzegovina (UNMIBH) to 21 December 1997, expanding the mandate of the United Nations International Police Task Force to tasks related to the investigation of violations of human rights mentioned in the conclusions of the London Conference and authorizing the establishment of a multinational Stabilization Force as the legal successor of the Implementation Force (IFOR) to carry out the functions set out in annex 1-A and annex 2 of the Peace Agreement.

In conclusion, my delegation wishes to pay tribute to the High Representative, the Commander and staff of IFOR and the international organizations and bodies working in Bosnia and Herzegovina, as well as to the Special Representative of the United Nations and the IPTF Commissioner for all their efforts in the cause of peace.

Mr. Lopes da Rosa (Guinea-Bissau) (*interpretation from French*): My delegation welcomes the recent positive developments in Bosnia and Herzegovina. These may, in our view, herald an era of peace in this region, which has been ravaged by war for four years. The significant and encouraging events that have taken place a year after the signing of the Peace Agreement, namely the disengagement of armies; the end of military operations; the elections of 14 September 1996, which prompted massive participation on the part of the population; and, above all, the establishment of the joint institutions provided for in the Constitution, all strengthen our delegation's conviction that Bosnia and Herzegovina will enjoy peace in the future.

However, we should note much remains to be done if this country is to be a united society in which its people can live in harmony and enjoy the freedom they so keenly desire.

We call once again on all parties to show political will and make further sacrifices to ensure the full implementation of the Peace Agreement, and thus help reconcile the country's communities. Guinea-Bissau has always maintained that the conflicts in the former Yugoslavia could be settled only on the basis of a negotiated political solution that takes full account of respect for the sovereignty and territorial integrity of all States within their internationally recognized borders.

We are convinced that the prospects for peace cannot become reality unless justice is done in the case of the numerous victims of the fratricidal war that has devastated Bosnia and Herzegovina. Let us not forget that true peace can be achieved only if all citizens, and particularly the victims of the atrocities committed in Bosnia and Herzegovina, feel that justice has been well served. To that end, the international community must not fail in effectively preventing any recurrence of such situations. Justice must ultimately prevail. Those who have committed crimes against humanity must be brought before the courts and held accountable for their acts.

That is why it is essential for us fully to support the work of the International Criminal Tribunal for the Former Yugoslavia. We hope that cooperation with the Tribunal, which was pledged at Dayton, will be cordial and genuine and that all States will be prepared to arrest persons indicted for war crimes and hand them over to the Tribunal.

The fate of thousands of refugees and displaced persons, who are far from their homes and homeland, is of concern to my delegation. Suitable conditions need to be created so that these people can return home with dignity and in safety.

We believe that the United Nations must continue to help implement the Peace Agreement. Consequently, we endorse the recommendation made by the Secretary-General regarding the extension of the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH), which must be accompanied by the necessary financial and human resources for it to carry out its activities. In this spirit, we join in the appeal made by the Secretary-General in his most recent report inviting the international community to contribute generously to the financing of programmes to help Bosnia and Herzegovina.

We welcome the content of the draft resolution before us, which we are about to adopt, because we look forward to the time when all the peoples of Bosnia and

Herzegovina and elsewhere in the former Yugoslavia will be able to forget the years during which the country was torn apart and finally work together to build a better future.

The President: I shall now make a statement in my capacity as Permanent Representative of Italy.

I wish first of all to associate myself with the statement made by the Permanent Representative of Ireland, Ambassador John Campbell, on behalf of the European Union.

Italy strongly supports the draft resolution the Council is about to vote on for the establishment of a Stabilization Force (SFOR) in Bosnia and Herzegovina and for the renewal of the United Nations Mission there.

Despite substantial progress in the peace process, to consolidate these achievements the international community must take a careful look at the future. The parties should renew their determination to respect commitments freely entered into and work towards full stabilization of the region. The international Force will undoubtedly play a major role in this regard.

We believe that priority must be given to implementation of the agreements on arms reduction and control signed in Vienna and Florence. In this regard, we cannot fail to underline that the Bosnian Serb party has consistently failed to comply with the Peace Agreement. Economic assistance, which is vital to Bosnia and Herzegovina, should be conditioned by the parties' full implementation of the Peace Agreement and used to encourage democratization of the political and economic life of the region.

Meanwhile, the international community has a moral obligation to continue to provide emergency aid to Bosnia. Also in this regard, I wish to recall that following the pledging conferences in Brussels in December 1995 and April 1996, Italy contributed $70 million for reconstruction and $15 million to the restructuring of Bosnia's debt with the World Bank.

Another essential aspect of the peace process is full cooperation by the parties with the International Criminal Tribunal for the Former Yugoslavia. We fervently hope that the parties' commitments will translate into concrete collaboration. We also share the general concern at the need to provide the Tribunal with adequate resources.

Italy will be relentless in these efforts to restore peace, security and stability in the region. My country has been at the forefront of providing logistical support for air operations in Bosnia; it has made 21 airports available and has continuously committed men and resources since April 1993. Moreover, Italy has participated in the Implementation Force (IFOR) by providing a brigade of 2,600 men as well as a major naval task force and air component. Italy is ready to provide the same air and naval units and a brigade of 1,830 men for the future Stabilization Force.

The International Police Task Force (IPTF) has a crucial role to play in the future of Bosnia and Herzegovina, especially in restructuring law enforcement institutions. It will perform the essential function of reassuring the civilian population and paving the way for national reconciliation and peaceful coexistence. Therefore, we welcome the reinforcement of its role in monitoring and investigating human rights abuses.

In conclusion, the adoption of today's draft resolution will be another major step in the process aimed at bringing peace and stability to this region. Italy remains fully committed to this goal and to sustaining the important efforts of the United Nations in that part of the world.

I now resume my functions as President of the Security Council.

I now put to the vote the draft resolution contained in document S/1996/1032.

A vote was taken by show of hands.

In favour:

Botswana, Chile, China, Egypt, France, Germany, Guinea-Bissau, Honduras, Indonesia, Italy, Poland, Republic of Korea, Russian Federation, United

Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1088 (1996).

There are no more speakers inscribed on my list.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 9.30 p.m.